

REPORT

BY

W. L. MACKENZIE KING, C.M.G.

DEPUTY MINISTER OF LABOUR

ON

THE NEED FOR THE SUPPRESSION OF THE OPIUM
TRAFFIC IN CANADA

PRINTED BY ORDER OF PARLIAMENT.



OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE KING'S MOST
EXCELLENT MAJESTY

1908

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Queen's University at Kingston

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[No. 366—1908.]

The Commission on the Administration of Justice, established in 1905, has the honor to acknowledge the receipt of the report of the Hon. Mr. Justice G. R. S. [Name], dated the 10th day of [Month], 1908, in relation to the proposed amendments to the [Act], and to state that the Commission has taken into consideration the same and has concluded that the proposed amendments are in accordance with the recommendations of the Commission.

The Commission has also the honor to acknowledge the receipt of the report of the Hon. Mr. Justice G. R. S. [Name], dated the 10th day of [Month], 1908, in relation to the proposed amendments to the [Act], and to state that the Commission has taken into consideration the same and has concluded that the proposed amendments are in accordance with the recommendations of the Commission.

W. L. EDWARDS, Secretary,
Ministry of Justice.

To His Excellency the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom, and a Baronet; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, &c., &c., Governor General and Commander in Chief of the Dominion of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

The undersigned has the honour to submit to Your Excellency, a report by W. L. Mackenzie King, C.M.G., Deputy Minister of Labour, on the need for the suppression of the opium traffic in Canada.

All of which is respectfully submitted.

(Signed) RODOLPHE LEMIEUX,
Minister of Labour.

Dated at Ottawa, July 3, 1908.

REPORT BY W. L. MACKENZIE KING, C.M.G., ON THE NEED FOR THE
SUPPRESSION OF THE OPIUM TRAFFIC IN CANADA.

To the Honourable RODOLPHE LEMIEUX, K.C., LL.D., F.R.S.C.,
Minister of Labour.

SIR,—In the report recently presented, of the settlement of the claims of the Chinese residents of the city of Vancouver, B.C., for losses occasioned by the anti-Asiatic riots of September last, I drew attention to a report of the evidence before the commission, disclosing the existence of opium manufacturing on a considerable scale in the province of British Columbia, and respectfully submitted that the operations of the opium industry should receive the immediate attention of parliament, and of the legislatures, with a view to the enactment of such measures as would effectually suppress the opium traffic in Canada, and wholly eradicate this evil and its baneful effects.

While in Vancouver, I received the following communication from the secretary of the Anti-Opium League, an organization composed of Chinese residents of the province:—

‘WA-YING YAT-PO,

THE CHINESE DAILY NEWSPAPER PUBLISHING CO., LTD.,

VANCOUVER, B.C., May 29, 1908.

‘MACKENZIE KING, Esq.,

‘Government Commissioner.

‘DEAR SIR,—The Chinese of this city were patiently waiting for your coming, and no doubt your present investigation will bring about the equitable adjustment of the claims and satisfactory settlement.

‘Besides the international and financial questions that you are dealing with, we sincerely wish that you would have interest in the social condition of the Chinese.

‘Opium is a social evil in this world. Last week we met the Rev. Dr. Chown, of the Moral Reform Association of Canada. Having instruction from Sir Wilfrid Laurier, he is trying his very best to suppress the use of this poisonous drug in Canada. Anti-opium leagues are being formed among the Chinese in British Columbia, with the object of trying to check the use of opium voluntarily, but we desire to have the co-operation of the Canadian Government.

‘Whilst you, being a Commissioner of the Laurier Government, are in the city investigating into the Chinese affairs; we do hope that you would give some attention to this opium question.

‘If your valuable time permits, we should like to meet you before your return to Ottawa.

‘Hoping that the result of your commission will be friendly, just and beneficial, I am,

‘Yours truly,

‘(Sgd.) PETER HING.’

7-8 EDWARD VII., A. 1908

To this communication I sent the following reply:—

VANCOUVER, May 30, 1908.

'DEAR SIR,—I beg to acknowledge the receipt of your letter of the 29th instant, in which you kindly mention that, while engaged on my present investigation, you wish I would also take some interest in the social condition of the Chinese, and refer more particularly to the evil of the opium habit.

'I am pleased to learn from your letter, that anti-opium leagues are being formed among the Chinese in British Columbia, with the object of trying to check the use of opium voluntarily. Among the well-wishers of mankind, there can be, I think, but one opinion as to the attitude which should be assumed toward this evil, which, once existent, does so much to destroy not only the lives of individuals, but the manhood of a nation. As a government official, I have no special authority to deal with this question in an official way, but as a citizen, I shall certainly deem it a privilege to look into the question while here, and will gladly do my part to obtain the co-operation of the public authorities here and elsewhere in the suppression of this evil.

'I would be pleased indeed to meet either yourself personally, or any number of Chinese who may wish to see me in reference to the question. Should you desire a special meeting, I will be pleased to confer with you as to the fixing of a suitable place and time.

'Yours very truly,

(Sgd.) W. L. MACKENZIE KING.

'PETER HING, Esq.,

'Chinese Daily Newspaper Publishing Co.,

'100 Hastings St., cor. Abbott, Vancouver.'

Subsequent to the receipt of the above communication, a deputation of three from the Chinese Anti-Opium League called upon me, and strongly urged my assistance to obtain the government's help in their efforts to discourage and prevent the manufacture and sale of opium. Mr. Tung Cheng-Ling, the attaché of the Chinese Legation at London, England, who came to Vancouver to be present at the inquiry into the Chinese claims, also spoke to me upon the subject, and expressed the hope that in the interests in his fellow-countrymen, measures might be enacted which would lead to the suppression of this vice. I promised these gentlemen that I would give the matter attention, and took occasion to make a personal investigation of the factories in Vancouver, and to visit a number of so-called 'dens' where opium was being smoked. I also made inquiries from reliable sources as to the extent of the practice among Chinese and other people in the province.

Since my return to Ottawa, I have received a communication from the Anti-Opium League, containing the following resolution passed at its last meeting:—

'Seeing that the use of opium is a social evil and the drug a destroyer of the lives of the individuals and a detriment to the welfare of the community, the Chinese Anti-Opium League of British Columbia humbly prays

SESSIONAL PAPER No. 36b

that the Federal Government of Canada will decisively exercise its authority and powers to prohibit the importation, manufacture and sale of the opium into and in Canada, so that the social, physical and moral conditions of both the Chinese and the Europeans who indulge in the use of and the abuse of the drug may in consequence be vastly improved.'

The reference to the opium evil contained in my report as commissioner to adjust the Chinese claims, was limited, necessarily, to such facts as were brought out in evidence before the commission, while ascertaining business losses of certain of the claimants. It is hardly sufficient to convey an adequate conception of the extent to which this traffic has developed in the province of British Columbia, or to show how urgent is the need of prohibitory legislation. That the government may be more fully advised, I beg respectfully to submit a few facts and considerations which have an immediate bearing on the subject.

In the coast cities of Vancouver, Victoria and New Westminster, there are at least seven factories carrying on an extensive business in opium manufacture. It is estimated that the annual gross receipts of these combined concerns amounted, for the year 1907 to between \$600,000 and \$650,000. The crude opium is imported from India in coco-nut shells, it is 'manufactured' by a process of boiling into what is termed 'powdered' opium and subsequently into opium 'prepared for smoking.' The returns show that large amounts of crude opium have been imported annually, and that the value of the crude opium imported in the nine months of the fiscal year 1906-7 was greater than the value of the amount imported in the twelve months of the preceding year; the figures for these periods being \$262,818, and \$261,943, respectively.

The factories are owned and the entire work of manufacture is carried on by Chinese, between 70 and 100 persons being employed. One or two of the factories have been in existence for over twenty years, but the majority have been recently established. It is asserted by the owners of these establishments that all the opium manufactured is consumed in Canada by Chinese and white people, but there are strong reasons for believing that much of what is produced at the present time is smuggled into China and the coast cities of the United States. However, the amount consumed in Canada, if known, would probably appal the ordinary citizen who is inclined to believe that the habit is confined to the Chinese and by them indulged in only to a limited extent.

The Chinese with whom I conversed on the subject, assured me that almost as much opium was sold to white people as to Chinese, and that the habit of opium smoking was making headway, not only among white men and boys, but also among women and girls. I saw evidences of the truth of these statements in my round of visits through some of the opium dens of Vancouver. The following item which appeared in a Vancouver paper at the time the Commission was in session, speaks for itself. It is entitled.

'Awful effects of Opium Habit.'

'In the police court this morning, while Vancouver lay in the beauty and brightness of early sunshine, there emerged into the light, ugly and horrible evidence of the dire influence which the opium traffic is exercising

7-8 EDWARD VII., A. 1908

among the ranks of British Columbia womanhood. May Edwards, pretty and young, had been found in a Chinese den. She said she had a husband in Victoria, and if allowed to go would return to him. She was allowed to go.'

'Much the sadder of the cases, however, was that of Belle Walker. A terrible record of the effects of indulgence in opium was written upon her appearance this morning. She was found by the police in an opium den. She had been there for three weeks. Magistrate Williams sent her to prison for six months.'

It is almost inconceivable that such a story should have found a place on any of the court records of this country, and yet I was told by one of the leading physicians of Vancouver that he has been shocked at the number of cases of women addicted to the habit which have come to his notice in the regular course of his practice during the past year. As for the Chinese, the casual visitor to their quarter of the city may see them in numbers at any hour of the night or day indulging in and under the influence of this drug.

What is hardly less surprising than the manufacture of opium is that its sale should be permitted, and this, in some districts without safeguards of any kind. It is true there is provincial legislation which to appearances should restrict the sale, but for some reason best known to the authorities, it seems to be openly ignored. Sections 16 to 18 of the Revised Statutes of British Columbia, 1897, Chap. 27, contain the following provisions:—

'Section 16. No person shall, within the limits of any incorporated city or town in this province, keep open shop for the retailing, dispensing or compounding poisons, or sell, or attempt to sell any of the articles mentioned in Schedule 'A' or Schedule 'B' to this Act, unless such person is registered as a licentiate of pharmacy under the Act, under the penalty set forth in section 20 in this Act.

'Section 17. Articles named or described in Schedule "A" or Schedule "B" shall be deemed to be poisonous within the meaning of this Act

'Section 18. No person shall sell any poison named in Schedule "A" either by wholesale or retail, unless the box, bottle, vessel, wrapper or cover in which such poison is contained, is distinctly labelled with the name of the article and the word "poison," and if sold by retail, then also with the name and address of the proprietor of the establishment in which such poison is sold; and no person shall sell any poison mentioned in Schedule "A" to any person unknown to the seller unless introduced by some person known to the seller; and on every sale of such article the person actually selling the same shall, before delivery, make an entry in a book to be kept for that purpose in the form set forth in Schedule "C" to this Act, stating the date of the sale, the name and address of the purchaser, the name and quantity of the article sold, the purpose for which it is stated by the purchaser to be required, and the name of the person, if any, who introduced him, to which entry the signature of the purchaser shall be affixed, under the penalty set forth in section 20 of this Act: Provided the person actually selling the poison shall be liable to the penalty mentioned in this Act.'

SESSIONAL PAPER No. 25c

Schedule 'A' to the Act, to which reference is made in the above section, includes 'Opium and its preparations, except paregoric and syrup of poppies.'

Notwithstanding these provisions, sales of opium are made daily at certain of the Chinese shops without a single precaution being taken as prescribed in section 18, and without the person making the sale being 'a licentiate of pharmacy' as required by section 16. I witnessed several individuals come and make their purchases of opium, and have in my possession at the present time a quantity of the drug which I obtained across the counter of one of these shops. The vessel containing it is without label, name or address. I was not requested to enter a signature or answer a single question, and feel quite sure that no entry of its sale was ever made.

In the face of open violation or neglect of the law of this kind, it is not so much a matter of wonder that the evil is gaining a foothold, and that as other countries are making it increasingly difficult for the drug to be obtained in any form, its importation, manufacture and sale should be growing apace in this land. The only effective remedy is to prohibit the importation, manufacture and sale alike, and this absolutely save in so far as an exception may be necessary for medicinal purposes only.

In enacting legislation to this end, the Parliament of Canada will not only effect one of the most necessary of moral reforms so far as the Dominion is concerned, but will assist in a world movement which has for its object the freeing of a people from a bondage which is worse than slavery. It is well known that the government of China, during recent years has been taking active measures to suppress the opium evil within the Chinese Empire. Referring to this action of the Chinese authorities the *Times* of India, of May 9, of the present year, has the following editorial reference:—

'Edicts emanating from the Chinese Government have not always fulfilled their purpose and Chinese promises have frequently fallen far short of performances. There was some reason, therefore, for regarding Great Britain as Quixotic in sacrificing a large portion of Indian revenue to meet the wishes of China in respect to the opium traffic. Impartial and unbiassed reports from many different quarters leave no margin for doubt, however, that China is thoroughly in earnest, and that already the consumption of the drug has been greatly restricted. It is this fact that has caused opinion at home to veer round. The Chinese authorities have closed all the opium dens under their control, and it would be little short of a scandal if after all the sympathy expressed for a people struggling to free themselves from the habit, the indiscriminate sale of opium were to be permitted in British settlements. Presumably, a clean sweep of these dens will shortly be made, not only in Hong Kong, but also in the Malay Straits and Ceylon.'

The allusion to England's sacrifice of Indian revenue will be understood from the following paragraph from the report of the '*Moral and Material Progress and Conditions of India* during the year 1906-7,' ordered printed by the House of Commons on May 18, of the present year. At page 71, the report reads:

'Towards the end of the year 1906, edicts were issued by the Government of China having for their object the suppression within ten years of the habit of consuming opium, and of the growth of opium, in China. Proposals were

7-8 EDWARD VII., A: 1908

made for the co-operation of the Government of India in this object by the gradual restriction of the amount of opium exported from India to China. At the beginning of 1908 an arrangement was entered into by which the total quantity of opium (including Malwa opium) exported from India beyond seas will be limited to 61,900 chests in the calendar year 1908, 56,800 chests in 1909, and 51,700 chests in 1910. The question of making still further reductions after the year 1910 will depend upon whether China has, in the interval, effected a proportional reduction in its own production and consumption of opium.'

In effect the step taken by the British Government, if continued, will mean an annual diminution of the Indian export of opium to China until the tenth reduction brings it to the vanishing point.

The whole subject was fully discussed in a debate in the British House of Commons as recently as May 6, at which time the House adopted without a division a resolution to terminate the licensing of opium dens in the Crown Colonies, licensing having been, until recently, the method adopted of 'regulating' the traffic in those parts. The resolution was as follows:—

'That this House having regard to its resolution unanimously adopted on May 30, 1906, that the Indo-Chinese opium trade is morally indefensible, welcome the action of His Majesty's Government in diminishing the sale of opium for export, and thus responding to the action of the Chinese Government in their arrangements for the suppression of the consumption of the drug in that Empire; and this House also urges His Majesty's Government to take steps to bring to a speedy close the system of licensing opium dens now prevailing in some of our Crown Colonies, more particularly Hong Kong, the Straits Settlements and Ceylon.'

Colonel Seely, the Under Secretary of State for the Colonies, speaking on behalf of the Government, informed the House that on Monday, the 4th of May, the Government had telegraphed to the Governor of Hong Kong as follows:—'His Majesty's Government have decided that steps must be taken to close opium dens in Hong Kong, as they recognize that it is essential in dealing with the opium question in Hong Kong, that they must act up to the standard set by the Chinese Government.' In regard to Ceylon, a Commission which had sat had concluded its labours, and its recommendations were drastic. The Commission had recommended that the present system should be closed on the expiration of the existing license; that the importation, distribution and sale of the crude drug should be made a government monopoly; that for every opium shop closed, the nearest Government dispensary should be made available for the distribution of the drug to habitual adult users, if they come forward to register their names, for a certain quantity to be periodically paid for in cash; that the use of the drug, except for medical purposes, should be absolutely prohibited after a definite period, and that a system of inspection should be introduced by the appointment of special officers for the purpose. The Governor of Ceylon had proposed, subject to the Secretary of State's approval, to accept and put in force all the recommendations, except that which urged prohibition after a definite time. The Secretary of

SESSIONAL PAPER No. 36b

State had that morning telegraphed to the Governor, sanctioning his proposals. As for the Straits Settlements, a Commission had been appointed to deal with the subject and was expected to report early in the autumn. On their report the Government proposed to take action. He could promise that in the Federated Malay States action would be taken which would lead with certainty in the direction of the ultimate extinction of the use of opium.

During the course of the debate, the Right Honourable Sir Edward Grey, Secretary for Foreign Affairs, reminded the House that in 1901, the Secretary of State for India had declared that the government would agree with China in any plan for the restriction of the consumption of opium brought forward in good faith, even if it caused some sacrifice and drew attention to the following decree issued by the Chinese Government on the 24th of March of the present year:—

‘We have already directed by Imperial Decree, that regulations should be issued under which the use of opium, both foreign and native, should be totally suppressed within the period of 10 years. The British Government have now agreed to effect an annual reduction in the amount of opium exported to China, and other friendly powers are willing to assist. This enlightened policy on their part has greatly impressed us. Under the agreement with the British Government, the reduction of the exports is to be continued for three years, and if it is found at the expiration of that period, that China has effectively decreased the consumption and production of opium, the policy of reducing the exports will still be carried on. To allow these three years to slip by without taking measures for the abolition of the drug, would be a poor return for the benevolent policy of a friendly power, and a deep disappointment to philanthropists of all nations.’

Replying to a question in the House of Commons two days previously, Sir Edward Grey had said:—‘No opium dens exist at present in any of the British concessions in China.’

During the course of the debate on the above resolution the Right Honourable Alfred Lytton, former Secretary of State for the Colonies, congratulated the Government upon having taken a step which seemed to be entirely reasonable in the circumstances.

The attitude of Japan towards the opium evil is both instructive and profitable. To quote from a report of a committee appointed by the Philippines Commission to investigate the use of opium and the traffic therein, ‘the opium law of Japan, in the words of a government official of Tokyo, is “prohibitive and effective.” . . . The opium law of Japan forbids the importation, the possession, and the use of the drug, except as a medicine, and it is kept to the letter in a population of 47,000,000, of whom 8,000 are Chinese. So rigid are the provisions of the law, that it is sometimes, especially in interior towns, almost impossible to secure opium or its alkaloids, in cases of medical necessity, and the government is determined to keep the opium habit strictly confined to what it deems to be its legitimate use, which use, even, it seems to think, is dangerous enough to require special safeguarding.’

Article 159 of the Japanese law lays it down that any one manufacturing, having for sale, or growing opium in any form, shall be punished with penal servitude not

7-8 EDWARD VII., A. 1908

exceeding seven years ; and further, any person eating or smoking opium shall be punished with penal servitude not exceeding three years.

In 1895 China ceded to Japan the Island of Formosa. The bulk of the population of that island is still Chinese, numbering about two and a half million. Prior to the Japanese occupation, the Formosans were not restricted in their importation and use of the drug. It was a commercial matter only. It was estimated that seven per cent of the entire population were smokers of opium. The system adopted was one of government monopoly, and the method one of 'progressive prohibition.'

Strikingly similar has been the action of the United States Government in dealing with the opium evil in the Philippines. Under the Spanish law the right to sell opium for smoking and other purposes was farmed out in the various provinces to a wholesale dealer, who purchased the privileges at a public auction. In 1903 the Philippine Commission appointed the committee to which reference has been made. There were three members of this committee, one of whom a former Canadian, was the Right Reverend Charles H. Brent, Episcopal Bishop to the Philippines. They were authorized to visit the various oriental countries to investigate the measures taken by the different governments for the purpose of suppressing the use of opium. One of the results of the investigations by this committee was the adoption by Congress in 1905, of an Act fixing a duty on crude and manufactured opium imported into the Philippine Islands, giving powers to the Philippine Commission to enact measures to restrict or prohibit the importation of opium, and providing that after March 1, 1908, 'It shall be unlawful to import into the Philippine Islands opium, in whatever form, except by the government, and for medicinal purposes only, and at no time shall it be lawful to sell opium to any native of the Philippine Islands except for medicinal purposes.' At the present time, therefore, all importation of opium into the Philippine Islands has ceased, except for medicinal purposes, and the importation for that purpose is made by the government only.

In the United States the importation of opium by the Chinese and trafficking in opium in China by United States citizens are prohibited by Act of February 23, 1887—an Act to provide for the execution of the provisions of Article 2 of the treaty concluded between the United States and the Emperor of China on November 17, 1880. The section of the Act forbidding the importation of opium by Chinese is as follows:—

'The importation of opium into any of the ports of the United States by any subject of the Emperor of China is hereby prohibited. Every person guilty of a violation of the preceding provision shall be deemed guilty of a misdemeanour, and, on conviction thereof, shall be punished by a fine of not more than five hundred dollars nor less than fifty dollars, or by imprisonment for a period of not more than six months nor less than thirty days, or by both such fine and imprisonment, in the discretion of the court.'

By an Act of 1890, such opium as is manufactured in the United States is manufactured under the surveillance of officers and agents appointed by the government, and by American citizens only. They are obliged to give bonds and sureties for com-

SESSIONAL PAPER No. 36b

pliance with the many regulations of the Act. The sale of the drug is also carefully safeguarded.

In Great Britain, opium, and all preparations of opium or of poppies are classified as 'poison,' and their sale is regulated by the Pharmacy Act of 1868, which makes it unlawful for any person to sell poisons unless such person is a pharmaceutical chemist, registered under the Act, and complies with the restrictions and safeguards which the law imposes.

Other instances of legislative enactments to suppress the opium evil, and to protect individuals from the baneful effects of this drug, might be given, if further examples were necessary. What is more important, however, than the example of other countries, is the good name of our own. To be indifferent to the growth of such an evil in Canada would be inconsistent with those principles of morality which ought to govern the conduct of a Christian nation.

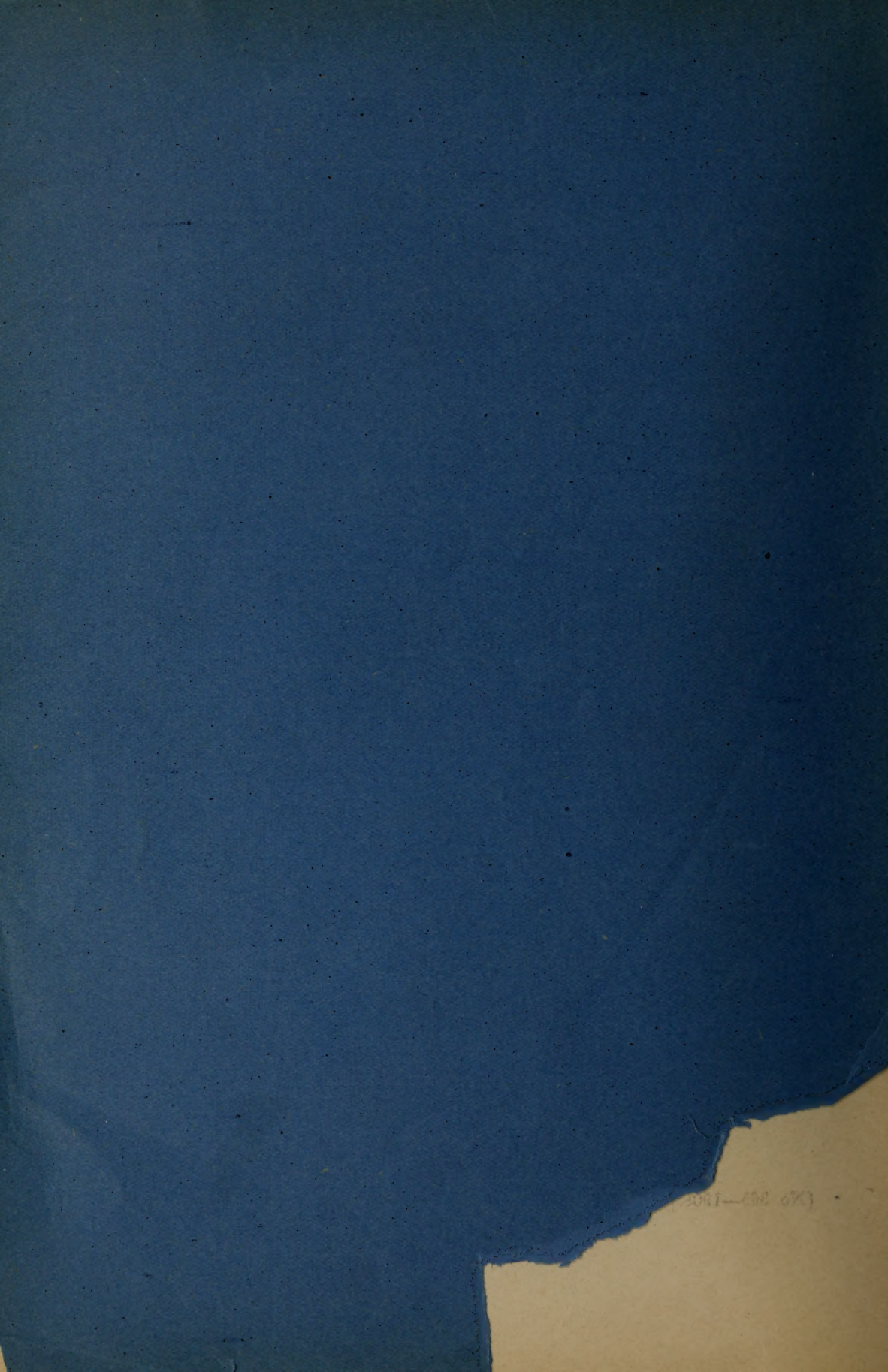
I have the honour to be, sir,

Your obedient servant,

(Sgd.) W. L. MACKENZIE KING,

Deputy Minister of Labour.

Dated at Ottawa, July 1, 1908.



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